

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN TOPETE, and
JOHNATHAN TOPETE,

Defendants.

CR 23–10–BU–DLC

ORDER

Before the Court is the United States’ Unopposed Motion for Preliminary Order of Forfeiture. (Doc. 292.) Defendants have been adjudged guilty of conspiracy to distribute and to possess with the intent to distribute controlled substances as charged in Count 1 the Indictment. (Docs. 280, 281.) As such, there is a factual basis and cause to issue an order of forfeiture, pursuant to 21 U.S.C. §§ 853(a)(1), (2), and 881(a)(11).

Accordingly, IT IS ORDERED the motion (Doc. 292) is GRANTED.

IT IS FURTHER ORDERED that Defendants’ interest in the following property is forfeited to the United States in accordance with 21 U.S.C. §§ 853(a)(1), (2), and 881(a)(11):

- \$15,754.00 in U.S. Currency.

IT IS FURTHER ORDERED that the ATF, United States Marshals Service,

and/or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law.

IT IS FURTHER ORDERED that the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture, pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 21st day of June, 2024.



Dana L. Christensen, District Judge
United States District Court